

U.S. DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

SEP 18 2009

FILED

Shawn Cheever,
Plaintiff

v.

Civil No. 06-cv-351-JM

Sergeant Michael Edmark
and Corporal Kevin Valenti,
Defendants

VERDICT FORM

I. Liability

A. Defendant Michael Edmark

Question 1: Do you find by a preponderance of the evidence that Michael Edmark violated Shawn Cheever's rights under the Eighth Amendment?

Yes ✓ No

Question 2: Do you find by a preponderance of the evidence that Michael Edmark committed an assault against Shawn Cheever?

Yes No ✓

Question 3: Do you find by a preponderance of the evidence that Michael Edmark committed a battery against Shawn Cheever?

Yes No ✓

B. Defendant Kevin Valenti

Question 4: Do you find by a preponderance of the evidence that Kevin Valenti violated Shawn Cheever's rights under the Eighth Amendment?

Yes ☒ No ☐

Question 5: Do you find by a preponderance of the evidence that Kevin Valenti committed an assault against Shawn Cheever?

Yes ☐ No ☒

Question 6: Do you find by a preponderance of the evidence that Kevin Valenti committed a battery against Shawn Cheever?

Yes ☐ No ☒

If you answered "Yes" to any question above, please proceed to Section II pertaining to Damages.

If you answered "No" to all of the questions above, your deliberations are complete. Please have the Jury Foreperson turn to the end of this form, sign and date it, and notify the Court Security Officer that you have reached a verdict.

II. Damages

If you answered "Yes" to any or all of the questions above, please respond to the following questions on damages.

Question 7: What compensatory damages do you award to Shawn Cheever against Michael Edmark?

Zero

(Please enter the amount in words, not numbers, as if you were writing a check.)

Question 8: What compensatory damages do you award to Shawn Cheever against Kevin Valenti?

Zero

(Please enter the amount in words, not numbers, as if you were writing a check.)

Question 9: If you did not award any compensatory damages to Shawn Cheever but found that either Michael Edmark or Kevin Valenti or both violated his Eighth Amendment rights, then you must award Shawn Cheever nominal damages on that claim. What amount of nominal damages do you award to Shawn Cheever?

one dollar

(Please enter the amount in words, not numbers. Remember the amount cannot exceed one dollar.)

Question 10: If you answered "Yes" to either Question 1, that Michael Edmark violated Shawn Cheever's Eighth Amendment rights, or to Question 4, that Kevin Valenti violated Shawn Cheever's Eighth Amendment rights, you must

now consider whether he is entitled to an award of punitive damages for that violation.

a. Michael Edmark - do you find by a preponderance of the evidence that Shawn Cheever is entitled to an award of punitive damages against Michael Edmark?

Yes



No

b. If you answered "Yes" to Question 10.a., what amount of punitive damages do you award against Michael Edmark?

Forty thousand dollars

(Please state the amount
in words, not numbers.)

c. Kevin Valenti - do you find by a preponderance of the evidence that Shawn Cheever is entitled to an award of punitive damages against Kevin Valenti?

Yes



No

d. If you answered "Yes" to Question 10.c., what amount of punitive damages do you award against Kevin Valenti?

Forty thousand dollars

(Please state the amount
in words, not numbers.)

Date: September 18, 2009

Donna M. Contonella
Foreperson